

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

CHRISTOPHER WEST

PLAINTIFF

VERSUS

CIVIL ACTION NO. 2:07CV215-P-A

DRURY COMPANY

DEFENDANT

ORDER

This cause is before the Court on the plaintiff's Motion for an Additional Five Days in which to File an Amendment to Plaintiff's Objections. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

That the motion is not well-taken and should be denied.¹ However, the plaintiff may file a reply in support of his appeal of the Magistrate's December 9, 2008 Order on or before January 16, 2009. In the event plaintiff's reply addresses arguments not raised in his original appeal, defendant may submit a surreply on or before January 29, 2009. Otherwise, no additional briefing will be permitted with regard to the appeal of the Magistrate's ruling.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the plaintiff's Motion for an Additional Five Days in which to File an Amendment to Plaintiff's Objections is not well-taken and should be, and hereby is, DENIED. IT IS FURTHER ORDERED that the plaintiff may file a reply in support of his appeal of the Magistrate's December 9, 2008 Order on or before January 16, 2009.

¹ More than five days have elapsed since the filing of plaintiff's motion and no such amendment has been filed. As a further matter, plaintiff's motion failed to articulate a sufficient basis for the relief sought. Finally, the appeal itself was filed out of time; thus the Court would be wholly justified in overruling plaintiff's objection on that basis alone.

SO ORDERED, this the 8th day of January, 2009.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE